

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR FEBRUARY 14, 2007
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. PUBLIC FORUM

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

IV. APPROVAL OF MINUTES: January 24, 2007

V. ANNOUNCEMENTS

VI. ANNOUNCEMENT OF CONFLICT OF INTEREST

VII. APPROVAL OF THE AGENDA

VIII. CONSENT CALENDAR (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. USE PERMIT AMENDMENT NO. UA2006-11:** A request to amend an existing use permit to allow a table service restaurant (New India Chaat Café) to occupy an approximately 1,400 square foot tenant space previously permitted as a small grocery store and take-out restaurant. The project includes a change of seating from 4 (four) approved seats to 20 (twenty) seats. No changes to the 7 (seven) parking spaces required for the use, exterior modifications to the building or alcohol sales are proposed. The project is located at 454 South Main Street (APN: 086-40-014), zoned Mixed-Use with an "S" Zone Overlay (MXD-S). Applicant: Elvira Sladky. Staff Contact: Kristine Lowe, (408) 586-3278. (PJ# 2471)
(Recommendation: Approve with Conditions)

X. ADJOURNMENT

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

THE NEXT PLANNING COMMISSION MEETING IS February 28, 2007

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Larry Ciardella-regular member, Sudhir Mandal-regular member, Gurdev Sandhu-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas Committee Conference Room First Floor, 455 E. Calaveras Boulevard.

- a. "S" ZONE APPROVAL AMENDMENT NO. SA2006-51:** A request for the approval of pedestrian trail amenities as required by Condition No. 16 of Use Permit No. UP2002-43 and "S" Zone No. SZ2003-13 which addressed the design of the proposed 65-unit subdivision in the Town Center development approved by the Planning Commission on March 24, 2004. Condition No. 16 states that: "Prior to any permit issuance, permit plans shall be submitted and approved by the Planning Commission Subcommittee that includes increased amenities to be provided along all portions of the pedestrian trail to further delineate and connect all broken segments of the trail. (P, PC)". The project site is located at 555 E. Calaveras Blvd., east of Milpitas Boulevard and north of Calaveras Boulevard (APN: 028-12-019), zoned Town Center with an "S" Zone Overlay (TC-S). Applicant: Susan M. Mineta of Shapell Homes. Staff Contact: Dennis Carrington, (408) 586-3275. *(Recommendation: Approve with Conditions)*

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: rpioroda@ci.milpitas.ca.gov

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features